

BRACKETT IN HOTEL LAWSUIT

HE IS SINGING COL. CLEMENT'S SON, WHO ALSO SINGS HIM.

Allegation and Denial That the Senator Had a Half Interest in the Hotel Marquette. He Seeks to Foreclose on an Assignment. Clement to Annul It.

State Senator Edgar T. Brackett, through his attorney, Henry C. Mott, of Saratoga, asked Justice Ford, Part I, of the supreme court yesterday to stay the trial of an action brought in this county against Senator Brackett by Henry C. Clement, Jr., until after a suit brought by Senator Brackett in Saratoga county against Henry C. Clement, Jr., his sister, Elizabeth S. C. Seavey, and Henry S. Clement, Sr., has been tried. Charles I. Taylor, of Boardley, Hennessey & Taylor, appeared to oppose the motion.

The suit of Henry S. Clement, Jr., against Senator Brackett is to secure the annulment of an assignment made to Senator Brackett of the plaintiff's share in the estate of his grandfather, William H. Clement, on the ground that it was procured by "misrepresentations, threats, duress, fraud and force." Senator Brackett's attorney said that the assignment was made to the plaintiff by the defendant, Henry S. Clement, Jr., and that the plaintiff was to receive the proceeds of the assignment and to pay the balance of the assignment to the defendant, Henry S. Clement, Jr.

The suits are included in a considerable body of litigation which has sprung up between Senator Brackett and the Clement family and which centres about the Hotel Marquette, at 1034 street and Broadway. William H. Clement died in January, 1887, leaving an estate of about \$1,000,000. One-fourth of the estate he left in trust for his son, Col. Henry S. Clement, manager of Congress Hall at Saratoga, to go to the Colonel's children upon his death. John B. Clement, Henry S. Clement, and John C. Clement were named as trustees. Upon the death of Col. Henry S. Clement resigned and Henry S. Clement, Jr., and Elizabeth S. C. Seavey, his wife, became trustees for their father.

It is alleged by Henry S. Clement, Jr., in his suit that Senator Brackett and Henry S. Clement, Sr., organized the Hotel Marquette Company in October, 1, 1907, Senator Brackett being jointly interested with Col. Clement, pursuant to the terms of an agreement by which Senator Brackett was to receive 50 per cent of the net profit. Senator Brackett denies this agreement and interest.

Four notes figure in the litigation. The first of these was made by Henry S. Clement, Sr., to the Hotel Marquette Company, in the name of Henry S. Clement, Jr., either as sole maker or as one of the makers. All are indorsed by Senator Brackett. They represent a total of \$500,000. The second note was for \$250,000, dated July 21, 1908, at the Adirondack Trust Company by the Hotel Marquette Company with the indorsement and guarantee of Brackett. The complaint of the younger Clement charges that this note was secured by a chattel mortgage upon the furniture and fittings of the hotel by agreement with Brackett and that when Henry S. Clement, Jr., went to Saratoga to go on the note, the note Senator Brackett refused to give it to him unless the younger Clement assigned to him his share in his grandfather's estate. The complaint charges that Senator Brackett at that time did so and fraudulently represented to the plaintiff the true condition of the affairs of said hotel company and of plaintiff's father, said Henry S. Clement, Sr., and did threaten to destroy and render insolvent said hotel company, in which this plaintiff's father was greatly interested, and to work great injury and injustice to said Henry S. Clement, Sr.

The assignment was made and the \$500 turned over. The assignment stated that it was made as security for the payment to the said Brackett of the hotel company, draft or other obligation, then or thereafter held or owing to Brackett. The assignment was indorsed by the Hotel Marquette Company, Henry S. Clement, Jr., and various sums have been paid on the obligations. The sum which Senator Brackett seeks to recover by the sale of Henry S. Clement's share in his grandfather's estate is \$250,000.

The younger Clement alleges that he executed the assignment for the purpose of securing the \$500 for the hotel company and that it was without consideration. He alleges that Brackett never lent him money or indorsed any obligation on his account. Further, he alleges that the \$500 note to Senator Brackett, which gave the assignment, has been paid and the mortgage discharged.

In his suit pending in Saratoga county Senator Brackett charges that the hotel company certain of the notes and is responsible for others. His complaint states that the assignment given by Henry S. Clement, Jr., was to secure all of these notes unpaid at that time and that the trustees be ordered to make an accounting, that they be discharged and that a receiver be appointed for each of the trust funds as in the State.

Justice Ford reserved decision.

NEEDN'T PAY NEVILLE \$1,000.
Lazansky Tells Lorimer Committee It Can Have Full Information.

ALBANY, Aug. 9. Secretary of State Edward Lazansky is in Europe when the Lorimer investigating committee was informed that a demand for \$1,000 had been made at the Secretary of State's office at Albany for a list of contributors to the Republican national campaign fund in 1908. Mr. Lazansky's secretary, James J. Neville, subsequently explained that the contributors' names were in volume and he offered to dispose of it for \$1,000 because he said it became his personal property and he thought it was worth that much.

Secretary Lazansky is anxious to get the record clear on the transaction and to-night he sent an explanatory letter to chairman Tillamuth of the investigating committee.

"I beg to advise you," writes the Secretary of State, "that any communications had with the Edward Hines Lumber Company or any other corporation or any person with reference to a charge for this list of report were without authority. No unauthorized communication was had between this office and any person with reference to this list or report."

"The report in question was filed in this office on November 23, 1908. Article XX of the election law of this State, commonly known as the corrupt practices act, provides in section 54 that all statements required by this article shall be filed with the Secretary of State, except of those cases where a candidate is required to file a statement elsewhere by section 776 of the penal law, and all statements, vouchers, receipts and accounts required by this article shall be preserved for three months after the elections to which they relate and shall be open to public inspection."

"Although the time for the preservation in this office of this report, has expired I have had it brought into my possession and it is now open to public inspection or accessible for production in any tribunal where it may be lawfully produced. I will be retained until January 1, 1912, when it, together with any other papers that are no longer required to be kept on file, will be destroyed. May I ask you to acquaint the committee with the contents of this letter, and if you deem it proper make it a part of the record."

OFFERED A DOCTORED CHECK.

Dejected Young Man Didn't Wait for Cash on Henry C. Mott's Signature.

A young man wearing a wig of sandy hair to hide the bare spots on the back of his head stepped up to the paying teller's window in the First National Bank in Jersey City yesterday morning and laid down a check for \$1,200. Cashier Edward I. Edwards, who is also New Jersey's State Comptroller, happened to be standing beside the paying teller and he noticed that the check was written in a boyish hand and that the signature was that of Henry C. Mott, a director of the American Sugar Refining Company. So he reached over to a telephone and while he was waiting to get Central he told Special Officer Robert Ferrier to grab the man at the window.

The man with the wig waited neither to be grabbed nor to grab his check. He took the flight of stairs leading out of the building in one jump and ran up Montgomery street with Ferrier close at his heels. Detective Sergeant Lyons was standing across the street in front of the Hudson Tunnel entrance and he joined in the chase. Before half a block had been covered fifty men were running or shouting or doing both. Ferrier laid the fugitive at the next corner and turned him over to Lyons. When Lyons got his wind he telephoned for a patrol wagon and the prisoner was taken to police headquarters. There he was identified by Patrick Gallagher of 110 Christopher street as a man who was a plumber and that he never did anything wrong in his life.

Mr. Edwards made an examination of the check immediately after Gallagher left the bank. He found that an ink eraser had been used on it and that the date, the name of the payee, and the amount had been changed. He telephoned the printed number of the check to the commission on the Hudson River and the Hudson River Commission, which is a branch of the New York State Police, and learned that the check had been made last Monday to the Gant Bag Company of 19 West street for \$1,116.25. It was stamped so that not more than \$1,700 could be raised on it.

Gallagher was questioned by the police before agents from the Pinkerton and Burns detective agencies arrived in the Hotel Marquette. He said that he had left his home in Christopher street, where he lives with his parents, to go on an outing and that he went to Hoboken to pick up a cab driver named Smith, whom he expected to see at a restaurant in Hoboken and some one told Gallagher he might be in Jersey City. So Gallagher went over to Jersey City and met a stranger who asked him if he would have a drink. Gallagher said that he would and the two went into a place in Exchange place and had some seltzer water. While they were drinking the stranger offered Gallagher \$15 if he would take a check to the First National Bank. Gallagher said he would do it and was starting away when the stranger turned back and said that he was a plumber and that he should appear to suspect him. Gallagher said that was why he didn't wait after Mr. Edwards picked up the telephone.

The police, who had been told that Gallagher was a plumber, had heard the story but Gallagher stuck to it. He was booked on a charge of attempting to obtain money under false pretences and will be arraigned in the county court to-day. The hearing will be postponed until Friday and then a charge of forgery will be made against him. The police think he is only the agent of a gang as the writing on the check is not his.

HAD HER ANNOYER FINED.

Mrs. Angell, Wife of Ethnologist, Serves Own Summons on Austrian Agent.

A short, pale, spectacled young man walked down to the subway station at Broadway and 168th street yesterday morning and stopped to buy a newspaper. He looked up from the stand to find a handsome young woman standing in front of him with a folded document thrust out.

"It's for you," she said. "I guess you know what it means."

The young man bowed, put the paper, which was a summons to appear in the Harlem police court, in his pocket and moved away toward the train platform. In the afternoon he came before Magistrate O'Connor and said that his name was Hugo Weiner, that he was 26 years old, that he was a native of Vienna and was now living at 600 West 163d street. He added that he was in this country commissioned by the Austrian Government to examine into our commercial conditions and customs, a somewhat informal diplomatic mission and would the court be good enough to tell him why he was summoned.

Thereupon the server of the summons stepped up and said that she was the complainant in the case. She said she was Mrs. Mac Griffith Angell, wife of John Mac Griffith Angell, an assistant curator at the Museum of Natural History, now engaged on a treatise on ethnology and living at 2905 Broadway.

Mrs. Angell said that she had been annoyed by Weiner since he had been standing at the subway station. She said that frequently while riding in the subway the man had smiled at her and that she paid no attention because she had often been stared at by strange men before.

She said that on Monday evening she and Weiner got off at the same subway station and that he followed her upstairs and along the street on the way to her home, smiling at her and obviously seeking to make her acquaintance. After two blocks of this she stopped and turned suddenly on the man with the spectacles. They both looked at each other and then said the following conversation took place:

The Diplomat—Whom are you staring at?

Mrs. Angell—A little cur.

She went home, she said, and told her husband what had happened. He was keen for leaving ethnology to its fate and going out and beating up dynamite, but she told him to go on writing and that she would settle the matter. So she had a summons written out and served it herself.

Weiner then said that he was not a little cur and that he had not attempted to flirt. He said that if the story became known it would embarrass him with his Government.

Magistrate O'Connor, however, announced that Weiner was fined \$10. The diplomat did some telephoning and finally raised the sum.

THOS. COOK & SON

CLARK'S ORIENT CRUISE

AUTO TOURS

TRAVEL

EXCURSIONS

AGAINST COTTON BILL.

Senate Finance Committee Votes to Report It Unfavorably.

WASHINGTON, Aug. 9. The Senate Finance Committee held a meeting to-day and decided to report the House cotton bill unfavorably. The report will be submitted by Senator Smoot of Utah when the Senate meets to-morrow.

The first vote came on a motion of Senator Williams (Dem.) to report the bill favorably. This was voted down, 9 to 5. The vote then returned on Smoot's motion to report adversely and it prevailed with eight to four.

Senator Penrose will ask to-morrow that the cotton bill be made the unfinished business of the Senate. The purpose is to keep it before the Senate until it is disposed of. In the voting to-day the Republicans found themselves united for the first time in a long while. Senator La Follette voted with eight of his Republican colleagues in opposition to a favorable report on the cotton bill. The Democrats, except Simmons of North Carolina, who asked for a second vote, supported Senator Williams's motion for a favorable report on the House bill. Even Senator Bailey voted "aye" on that motion.

The motion failed because of the nine Republicans voting solidly against it. Senator Kern, who was absent at the Lorimer hearing, was recorded by his request in favor of a second vote. The motion for an adverse report was unanimous, because everybody was agreed that the bill should be reported.

JOB FOR GOV. DIX'S NEPHEW.

Appointed Confidential Agent of the State Conservation Commission.

ALBANY, Aug. 9.—The State Conservation Commission to-night appointed Gov. Dix's nephew, Thompson Douglas of Albany, temporary confidential agent for the commission to see a road to the Adirondack Park. The road will be in the fish and game division of the department.

SUMMER RESORTS.

NEW YORK Catskill Mountains.

THE Catskill Mountains

THE ULSTER & DELAWARE R. R.

In connection with West Shore Railroad forms the only rail through car line between New York and all points in this famous mountain region.

The summer time schedule is now in effect.

An illustrated Summer Book with map of the Catskill region, list of hotels and boarding houses will be sent free on receipt of 6 cents postage.

General Passenger Agent, Kingston, N. Y.

Hotel Gramatan

LAWRENCE PARK, BRONXVILLE, N. Y.

DELaware Water Gap.

WATER GAP HOUSE

THE KITTATINNY

THE NEW MONMOUTH

THE SHOREHAM

ALBEMARLE

Marlborough-Blenheim

THE GLENWOOD

IDEAL TOUR BOOKLET

AROUND THE WORLD

THOS. COOK & SON

CLARK'S ORIENT CRUISE

AUTO TOURS

TRAVEL

EXCURSIONS

Lake Hopatcong, \$1.00

EVERY SUNDAY AND HOLIDAY

MAUCH CHURCH, \$1.50

NEXT SUNDAY

VIA NEW JERSEY CENTRAL

HARD COAL NO SMOKE COMFORT

INTERNATIONAL MARINE LINES

NEARBY SAILINGS: ENGLAND, IRELAND, THE CONTINENT

TRIPLE SCREW 45,324 TONS

OLYMPIC

White Star

Atlantic Transport

Red Star

LONDON—PARIS—BREMEN

GERMAN GEORGE WASHINGTON LLOYD

SATURDAY, AUGUST 19

501 Fifth Avenue, S. E. Corner 42d St.

PASSENGER AND TICKET OFFICE

501 Fifth Avenue, S. E. Corner 42d St.

RESERVATIONS MADE INFORMATION FURNISHED TICKETS DELIVERED

G. R. ANGEVINE, Eastern Passenger Agent Ocean Steamship Company

HAMBURG-AMERICAN

LONDON—PARIS—HAMBURG

MAURETANIA

LUSITANIA

CARMANIA

MONTREAL QUEBEC LONDON

MADEIRA GIBRALTAR ALGERS NAPLES TRIESTE

HAMBURG-AMERICAN LINE

CUBA, JAMAICA, PANAMA, HAITI, COLOMBIA, COSTA RICA

PRINZ JOACHIM, AUG. 12

PERU-CHILE

JAMAICA Panama Canal

Round Trip, \$85

United Fruit Company

ANCHOR LINE

GLASGOW via LONDONDERRY

OLD DOMINION LINE

PARIS—LONDON—ROTTERDAM

BERMUDA—Round Trip \$10 & up

EUROPEAN RESORTS

PARIS FRANCE

Hotel Lotti

Rue de Castiglione

MIDWAY between the Jardin des Tuileries. The most recently built in Paris and representing the last word in modern Hotel Comfort.

OPENING IN SEPTEMBER NEXT

SPECIALLY DEVOTED TO THE REQUIREMENTS OF AMERICAN VISITORS

Under the personal management of MR. A. LOTTI

SEA TO BOSTON

SPECIAL ANNOUNCEMENT

S. S. BUNKER HILL, will omit trip

PORTLAND LINE

IRON STEAMBOAT CO.

CONEY ISLAND

SPECIAL NOTICE.

Rockaway Beach

Steamer "Grand Rep" ic

HUDSON RIVER DAY LINE

Steamer Mary Powell

HUDSON NAVIGATION CO'S

HUDSON RIVER NIGHT LINES

50 TO ALBANY

NOTICE TO EMPLOYERS.

HELP WANTED.

HELP WANTED.

NOTICE TO EMPLOYERS.

HELP WANTED.

HELP WANTED.

NOTICE TO EMPLOYERS.

HELP WANTED.

HELP WANTED.

NOTICE TO EMPLOYERS.

HELP WANTED.

HELP WANTED.

NOTICE TO EMPLOYERS.

HELP WANTED.

HELP WANTED.

NOTICE TO EMPLOYERS.

HELP WANTED.

HELP WANTED.

NOTICE TO EMPLOYERS.

HELP WANTED.

HELP WANTED.

NOTICE TO EMPLOYERS.

HELP WANTED.

HELP WANTED.

NOTICE TO EMPLOYERS.

HELP WANTED.

HELP WANTED.

NOTICE TO EMPLOYERS.

HELP WANTED.

HELP WANTED.

NOTICE TO EMPLOYERS.

HELP WANTED.

HELP WANTED.

NOTICE TO EMPLOYERS.

HELP WANTED.

HELP WANTED.

NOTICE TO EMPLOYERS.

HELP WANTED.

HELP WANTED.

NOTICE TO EMPLOYERS.